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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/752,307	12/29/2000	Clifford Lee Knight	36968-206125	8010

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EXAMINER

TRAN, PABLO N

ART UNIT

PAPER NUMBER

2685

DATE MAILED: 11/30/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/752,307

Applicant(s)

KNIGHT, CLIFFORD LEE

Examiner

Pablo N Tran

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10 August 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-38 is/are pending in the application.
- 4a) Of the above claim(s) 32-34 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-31 and 35-38 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 112

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claim 21 recites the limitation "said motorized". There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1, 7-9, 13-28, 30-31, and 35-38 are rejected under 35 U.S.C. 102(e) as being anticipated by *Priest et al.* (6,047,160).

As per claims 1 and 35, *Priest et al.* disclosed a remote, self-contained communications antenna apparatus (fig. 2), mounted on a vehicle (col. 5/ln. 49-51), for transceiving wireless communication signals between said equipment and a disconnected cell site (col. 3/ln. 22-30, col. 5/ln. 28-44) that has been

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disconnected from its cellular system, and transceiving communication signals between said equipment and a communications network (col. 2/ln. 49-col. 3/ln. 30).

As per claims 7, 17, and 31, *Priest et al.* disclosed digital processing devices, or wireless devices (fig. 3a/no. 152, 154, 156, 158, 164, 166, 172, 174).

As per claims 8 and 13, *Priest et al.* disclosed communication signals are at any frequency signal in the electromagnetic spectrum (col. 5/ln. 18-26).

As per claims 14-15, *Priest et al.* disclosed celestial communications network or terrestrial communications network (col. 3/ln. 51-54, col. 5/ln. 45-58).

As per claims 18 and 27, *Priest et al.* disclosed a power source (col. 5/ln. 45-58).

As per claim 19, *Priest et al.* disclosed a personal computer (col. 5/ln. 45-58).

As per claim 20, *Priest et al.* disclosed a motorized vehicle (col. 5/ln. 45-58, col. 6/ln. 46-55).

As per claims 21-22, *Priest et al.* disclosed a trailer (col. 5/ln. 45-58, col. 6/ln. 46-55).

As per claim 22, *Priest et al.* disclosed a motorized vehicle (col. 5/ln. 45-58, col. 6/ln. 46-55).

As per claim 23, *Priest et al.* disclosed the charging source further charges the motorized vehicle (col. 5/ln. 45-58).

As per claim 24, *Priest et al.* disclosed an extendible mast (col. 5/ln. 45-58, col. 6/ln. 46-55).

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As per claims 25-26, *Priest et al.* disclosed wherein said signal processor comprises a digital/analog signal processor (col. 4/ln. 12-34).

As per claim 28, *Priest et al.* disclosed the remote antenna apparatus communicated with the disconnected cell site using wireless communications (col. 2/ln. 49-col. 3/ln. 30).

As per claims 30 and 36, as stated in claim1, *Priest et al.* further disclosed cellular devices that use a standard setup channel and frequency coordination (col. 2/ln. 49-col. 3/ln. 30).

As per claims 37-38, *Priest et al.* disclosed communication signals are wireless (col. 2/ln. 49-col. 3/ln. 30).

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 2-6, 10-12, and 29 are rejected under 35 U.S.C. 103(a) as being unpatentable over *Priest et al.* (6,047,160) in view or *Knoblach et al.* (6,628,941).

As per claims 2-5 and 10-12, *Priest et al.* disclosed such frequency range of 806-960 MHz but not in the range of 1710-1855 MHz, 2500-2690 MHz, or 2.4-2.5 GHz. However, such is notoriously well known in the art, as suggest by *Knoblach et al.* (col. 7/ln. 44-col. 8/ln. 15). Therefore, it would have been

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obvious to one of ordinary skill in the art to provide such communication signals transmitted at high frequency range, as suggest by *Knoblach et al.*, to the communication system of *Priest et al.* in order to ensure that mobile terminals are always in communication range.

As per claim 6, the modified communication system of *Priest et al.* further disclosed wireless paging devices (see *Knoblach et al.*, col. 7/ln. 44-col. 8/ln. 15).

As per claim 29, the modified communication system of *Priest et al.* further disclosed the remote antenna apparatus communicated with the disconnected cell site using wired communications (see *Knoblach et al.*, fig. 2/no. 30d).

Conclusion

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Pablo Tran whose telephone number is (703)308-7941. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward Urban, can be reached at (703)305-4385.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks
Washington, D.C. 20231

or faxed to:

(703) 872-9314 (for Technology Center 2600 only)

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Hand-delivered responses should be brought to Crystal Park II, 2121

Crystal Drive, Arlington, VA, Sixth Floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 Customer Service Office whose telephone number is (703) 306-0377.

November 19, 2004

PABLO N. TRAN
PRIMARY EXAMINER

A handwritten signature in black ink, appearing to read 'P. Tran', with a long horizontal line extending to the right.

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